

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ADREA, LLC,

Plaintiff,

v.

BARNES & NOBLE, INC.,
BARNESANDNOBLE.COM LLC, and
NOOK MEDIA LLC,

Defendants.

Civil Action No. 13-cv-4137 (JSR)

DECLARATION OF COLIN CABRAL

I, Colin Cabral, declare as follows:

1. I am an attorney at Proskauer Rose LLP, counsel for Plaintiff Adrea, LLC (“Plaintiff”). I submit this declaration in response to the Court’s July 17, 2017 email requesting revised invoices for (i) costs associated with the deposition of David Yurkerwich, “excluding any expenses for the expedited turnaround of his transcript, interactive real-time, rough draft/ASCII, exhibit package, and litigation support package;” and (ii) travel costs of trial witnesses, including one round-trip airfare for each witness and overnight stays associated with the days when the witnesses actually testified at trial.

2. Attached as Exhibit A is a true and correct copy of a revised invoice from David Feldman Worldwide, Inc. for the deposition of David Yurkerwich. The revised invoice includes itemized costs for the transcript itself (\$1,561.65) and shipping & handling (\$78.00) for a total of \$1,639.65.

3. Attached as Exhibit B is a true and correct copy of revised invoices for one round-trip airfare for each witness who testified at trial. The receipts show the cost of air travel to and from

New York City for the following expert witnesses: Brian Berg ($\$647.98 + \$878.98 = \$1,526.96$), Xin Wang ($\435.10),¹ and Stephen Magee ($\$809.60 + \$471.10 = \$1,280.70$). The total cost of air travel referenced above is $\$3,242.76$.²

4. Attached as Exhibit C is a true and correct copy of revised invoices for overnight stays associated with the days when witnesses actually testified at trial. The receipts show a room rate of $\$369.00$ per day plus $\$57.93$ in room tax for a total daily cost of $\$426.93$. Eugene Shteyn testified for one (1) day: October 8, 2014. Dr. Wang and Brian Berg each testified for two (2) days. Dr. Wang testified on October 10 and 21, 2014. Mr. Berg testified on October 15 and 16, 2014. Stephen Magee testified for (3) days: October 10, 16 and 17, 2014. Plaintiff incurred costs for a total of eight (8) overnight stays for days when the witnesses actually testified at trial, resulting in a total cost of $\$3,415.44$.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 18, 2017.

/s/ Colin Cabral
Colin Cabral

¹ Dr. Wang traveled to Europe after the trial. Accordingly, Plaintiff only seeks reimbursement for the cost of Dr. Wang's one-way travel from Los Angeles to New York City.

² Plaintiff was not able to locate invoices or other documentation showing the cost of air travel for Eugene Shteyn, who also testified at trial.

CERTIFICATE OF SERVICE

I certify that on July 18, 2017, I caused a copy of the foregoing document to be served upon counsel of record for Barnes & Noble, Inc., barnesandnoble.com llc, and Nook Media LLC by electronic mail.

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/s/ Colin Cabral

Colin Cabral